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PTO/SB/JO (04-05)

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REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTALAddress to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/787,382
Filing Date	February 24, 2004
First Named Inventor	Shumin Yang
Art Unit	1633
Examiner Name	Sunmesh Kaushal
Attorney Docket Number	IM-2-CI-CI-1

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - Other _____

b. Enclosed

- Amendment/Reply
- Affidavit(s)/Declaration(s)
- Information Disclosure Statement (IDS)
- Other Petition for Extension of Time

2. Miscellaneous

- Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- Other _____

3. Fees

- The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments to Deposit Account No. 081930. I have enclosed a duplicate copy of this sheet.
 - RCE fee required under 37 CFR 1.17(e)
 - Extension of time fee (37 CFR 1.130 and 1.17)
 - Other _____
- Check in the amount of \$ _____ enclosed
- Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	9/20/05	September 20, 2005
Name (Print / Type)	Richard J. Stern, Ph.D.	Registration No.	50,668	

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature		Date	September 20, 2005
Name (Print / Type)	Susan A. Gordon	Registration No.	

This collection of information is required by 37 CFR 1.14. The information is required to obtain or retain a benefit by the public which is to file (and) by the USPTO to process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on trademark Office, U.S. Department of Commerce, P.O. Box 1150, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PAGE 2/9 * RCV'D AT 9/20/2005 2:52:45 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/31 * DSN:2738300 * CSID:9706193011 * DURATION (mm:ss):03:06

ATTN: MAIL STOP RCE
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

Yang, Shumin
McCall, Catherine A.
Weber, Eric R.

Serial No.: 10/787,382

Filed: February 24, 2004

Atty. File No.: IM-2-C1-C1-1

For: "CANINE IL-5 NUCLEIC ACID
MOLECULES"

) Group Art Unit: 1633

) Examiner: Kaushal, Sumesh

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SUBMISSION WITH RCE

CERTIFICATE OF FACSIMILE TRANSMISSION
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
BEING FACSIMILE TRANSMITTED TO EXAMINER
SUMESH KAUSHAL, FAX NO. 571-273 X300,
ADDRESSED TO MAIL STOP RCE, COMMISSIONER
FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA
22313-1450. THIS 20TH DAY OF SEPTEMBER 2005.

HESKA CORPORATION
By: *Susan A. Gordon*
Susan A. Gordon

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This Submission is being filed with a Request for Continued Examination (RCE). Applicants authorize the RCE fee of \$395 to be charged to Deposit Account 081930. A Petition for a one-month extension of time extending the period for reply from July 20, 2005 to August 20, 2005 was previously filed with Applicants' Amendment and Response on July 27, 2005. Therefore, Applicants submit herewith a Petition for an additional one-month Extension of Time, thereby extending the period for reply from August 20, 2005 to September 20, 2005.

Applicants request entry of the following newly submitted claims which were previously filed, but not entered, after the Final Office Action mailed from the U.S. Patent and Trademark Office on April 20, 2005. Applicants further request consideration of the accompanying remarks.